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Testimony in support of

SB 861: An Act Concerning Criminal History Records Checks and Discipline of Faculty Members of Institutions of Higher Education

Higher Education and Employment Advancement Committee

February 10, 2015

Senator Bartolomeo, Representative Willis, Senator Witkos, Representative Betts, and distinguished members of the Higher Education and Employment Advancement Committee, thank you for this opportunity to comment on SB 861, An Act Concerning Criminal History Records Checks and Discipline of Faculty Members of Institutions of Higher Education.

SB 861 would require that any collective bargaining agreement entered into on or after October 1, 2015 that is applicable to faculty of one of the state's higher education institutions shall include provisions enabling such institution or the constituent unit that has jurisdiction over such institution of higher education to 1) require a faculty member to submit, at any time prior to promotion, to a state and national criminal history records check conducted in accordance with section 29-17a of the general statutes, and 2) discipline a faculty member for any criminal conduct on the part of the faculty member while employed by such institution of higher education by means including, but not limited to, termination of employment.

I was pleased to see this bill raised by the Committee, because I believe that it attempts to address the difficult and embarrassing situation created last year when a Central Connecticut State University (CCSU) professor of poetry was recommended for a promotion to a full professorship by the university, and the promotion was subsequently

approved by the Board of Regents. The professor was in jail at the time, serving a sentence related to credit card fraud, and had been arrested several on several previous occasions.

I can make no judgment on whether the conduct or the convictions of the faculty member involved have had or will have any effect on his ability to teach, write, and perform research. Nor do I have enough information to evaluate whether or not he deserves further discipline by the university. What is clear from subsequent Board of Regents statements, however, is that the members were aware neither that the faculty member was in jail at the time of his promotion nor that he had been convicted of any offenses. The CCSU President also told the media that he had neglected to inform the Board of Regents of these facts. This situation had serious effects on the credibility of both the Board of Regents and our state university system when the information became public.

I applaud the Committee for recognizing the potential issues that can arise from a situation like this. But I am not sure that the bill as written directly addresses them. The bill does allow our universities to perform criminal background checks on a more frequent basis than they do now, and to make disciplinary and termination decisions based on them. But it does not require them to report the information they have – whether based on background checks or not – to the Board of Regents.

I would propose that the bill include language that closes this communications gap between the higher education institutions and the Board of Regents. The Board of Regents will then have a full complement of information when it makes or approves decisions. If it decides to approve a promotion for someone who has a criminal record, it will then at least be equipped to justify the decision.

Legislation like this is part of equipping the Board of Regents to do the job it was created to do, which includes not only running our higher education system more efficiently and cost-effectively, but also – and this is very important – ensuring that our higher education institutions can provide a high quality education to students, offered by competent, capable, and well regarded faculty members.

Thank you for your attention to these issues.